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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-09-0736 CW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER CONTINUING DATE FOR
v.)	CHANGE OF PLEA TO FEBRUARY 23,
)	2010
DENISE MARIE ROHRBACH,)	
)	Hearing Date: February 19, 2010
Defendant.)	Requested Date: February 23, 2010
_____)	

The above-captioned matter is set on February 19, 2010 before Magistrate Judge Beeler for change of plea. The matter is also set before Judge Wilken for sentencing on February 24, 2010 assuming that a change of plea has taken place by that time. The parties jointly request that this Court continue the change of plea to February 23, 2010 at 10:00 a.m. before Magistrate Judge Beeler.

The parties are close to working out a disposition. Judge Wilken ordered the preparation of a pre-plea criminal history report by United States Probation. The parties are awaiting a final version of that report as they negotiate the terms of a final plea agreement. At present, it does not appear that a final plea agreement will be prepared in time for the February 19, 2010 appearance. Accordingly, the parties request that the date for change of plea before Magistrate Judge Beeler be continued to February 23, 2010. Assuming the plea agreement is finalized by

1 that time, Ms. Rohrbach can enter her plea before Magistrate Judge Beeler in the morning and
2 can be sentenced before Judge Wilken on February 24, 2010 at 2:00 p.m.

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4 February 17, 2010

/s/
NED SMOCK
Assistant Federal Public Defender

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7 February 17, 2010

/s/
JAMES MANN
Assistant United States Attorney

ORDER

Based on the reasons provided in the stipulation of the parties above, IT IS HEREBY ORDERED THAT the change of plea hearing currently set for February 19, 2010 is continued to February 23, 2010 at 10:00 a.m. before Magistrate Judge Beeler. Ms. Rohrbach's 2:00 p.m. appearance before Judge Wilken on February 24, 2010 will remain in place.

IT IS SO ORDERED.

February 18, 2010
Date



LAUREL BEELER
United States Magistrate Judge